

FORM PTO-1390 (Modified)  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

204415US0PCT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/186359

INTERNATIONAL APPLICATION NO.  
PCT/JP99/04978INTERNATIONAL FILING DATE  
10 September 1999PRIORITY DATE CLAIMED  
14 September 1998TITLE OF INVENTION  
NEW USE

APPLICANT(S) FOR DO/EO/US

Nobuchika YAMAMOTO, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Request for Consideration of Documents Cited in International Search Report

Notice of Priority

PCT/IB/304

PCT/IB/308

U.S. APPLICATION NO. (IF KNOWN, SEE 09/78635)	INTERNATIONAL APPLICATION NO. PCT/JP99/04978	ATTORNEY'S DOCKET NUMBER 204415US0PCT
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21. The following fees are submitted:.

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1,000.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$860.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$710.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	11 - 20 =	0	x \$18.00		<b>\$0.00</b>
Independent claims	7 - 3 =	4	x \$80.00		<b>\$320.00</b>
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>					<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$1,180.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>					<b>\$0.00</b>
<b>SUBTOTAL =</b>					<b>\$1,180.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	<b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>					<b>\$1,180.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>					<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>					<b>\$1,180.00</b>
				Amount to be: refunded	\$
				charged	\$

- ☒ A check in the amount of **\$1,180.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **15-0030** A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**22850**

**WILLIAM E. BEAUMONT**  
**REGISTRATION NUMBER 30,996**

*Norman F. Oblon*  
SIGNATURE

**Norman F. Oblon**

NAME

**24,618**

REGISTRATION NUMBER

*March 14, 2001*  
DATE

DOCKET NO. 204415US0PCT

IN RE APPLICATION OF: **Yamabuchi** YAMAMOTO, et al.

SERIAL NO.: New U.S. PCT Application (Based on PCT/JP99/04978)

FILED: HERewith

FOR: NEW USE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith: PCT Transmittal Letter/Notice of Priority/PCT/IB/304  
Request for Consideration/Declaration/PCT/IB/308/Preliminary Amendment/International Search Report  
Check for \$1,180.00

The fee has been calculated as shown below.

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		ADDITIONAL FEE		ADDITIONAL FEE
TOTAL	* 11	MINUS	** 20	= 0	X9 =	\$	X18 =	\$ .00
INDEP	* 7	MINUS	*** 7	= 0	X40 =	\$	X80 =	\$ .00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+135=	\$	+270=	\$
					TOTAL	\$	TOTAL	\$ .00

A check in the amount of \$\_\_\_\_\_ is attached.

- XX Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- XX If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.



22850

WILLIAM E. BEAUMONT  
REGISTRATION NUMBER 30,996

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Attorney of Record  
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Surinder Sachar  
Registration No. 34,423

(703) 413-3000

\*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.  
\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.  
\*\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.7/93

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Nobuchika YAMAMOTO, et al.

SERIAL NUMBER: NEW U.S. PCT APPLICATION (based on PCT/JP99/04978)

FILED: HERewith

FOR: NEW USE

**REQUEST FOR CONSIDERATION OF DOCUMENTS  
CITED IN INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

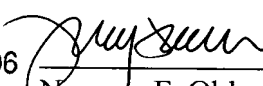
Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

WILLIAM E. BEAUMONT  
REGISTRATION NUMBER 30,996

  
Norman F. Oblon  
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